

HUMBOLDT GREENWAY

OVERVIEW

The Humboldt Greenway development of 127 single-family residences and 79 townhomes includes an eight block area of Humboldt Avenue North between Victory Parkway and 53rd Avenue North and from Humboldt Ave. North, east to Dupont Avenue North. The Humboldt Greenway provides housing for residents in all phases of life. The eclectic housing mix includes craftsman-style bungalows, Tudor and foursquare designs. All homes have spacious interior floor plans and great details, designed in the spirit of the historic Victory Parkway and other post World War I homes of Minneapolis neighborhoods.

At the current time, the monthly association fees for single-family homes is \$20/month and \$150/month for townhomes.

The initial 58 single-family residences and 36 townhomes of the development have been completed and the final phase of 69 single family and 43 townhomes is underway.

HUMBOLDT GREENWAY MASTER COMMUNITY ASSOCIATION

As a purchaser of either a Humboldt Greenway single-family residence, or townhome, you automatically become a member of the master association.

As described in greater detail in the Humboldt Greenway Master Community Association's Governing Documents (herein referred to as the "Master Association"), the Humboldt Greenway includes a master association and two sub-associations. The Master Association is responsible for maintenance of entrance monuments and their landscaping, project retaining walls and the landscaping-irrigation maintenance of the 50th Street pedestrian promenade between Humboldt Avenue North and Dupont Avenue North.

On behalf of the Humboldt Greenway development, the Master Association may also assume the responsibility of maintaining all or part of public property and park land adjoining the development with the intent of preserving and enhancing the value of the Humboldt Greenway neighborhood.

In order to pay for the cost of maintaining these items, each sub-association collects annual assessments (dues) from each of its homeowner members. These dues are collected as part of each homeowner's assessment paid to the sub-association; no separate payment is required. Future expenses of the Master Association will determine the future annual assessment to be collected from each homeowner.

The Master Association is operated by a Board of Directors that consists of members of the Board of Directors from each sub-association. Individual homeowners do not have voting rights in the Master Association.

HUMBOLDT GREENWAY HOMEOWNERS ASSOCIATION

Owners of single-family homes are automatically members of the Humboldt Greenway Homeowners Association, which governs the operation of the single-family homes. The single-family homeowners association will provide for snow removal on sidewalks and trailways (to the extent the City or Park Board does not remove the snow), and lawn mowing along public boulevards. (For a specific discussion of maintenance responsibilities in the single-family community, please refer to Article II of the Declaration of Covenants, Conditions and Restrictions for Humboldt Greenway Homeowners Association.)

In order to provide these services, the homeowners' association collects annual assessments (dues) from each household. Future expenses of the homeowners association will determine the future annual assessment to be collected from each homeowner.

The single-family association also enforces the design covenants, rules and regulations, and standards established by the side yard use easements, and the original development plans as approved by the City of Minneapolis.

For example, any additions, modifications, or color changes that deviate from what was originally constructed, including exterior architecture, landscape features, or grading, must be formally approved by the single-family association, and if required, the City of Minneapolis.

HUMBOLDT GREENWAY TOWNHOMES

Owners of townhomes are automatically members of the Humboldt Greenway Townhomes association, which governs the operation of all townhomes inclusive of maintenance, reserves, insurance and management. The townhome association provides maintenance of the exterior of all townhomes and garages, landscaping, decks, patios, balconies, walkways, as well as other items specifically identified in the Declaration of Common Interest Community for Humboldt Greenway Townhomes. (For a specific discussion of the maintenance responsibilities in the townhome community, please refer to Article III of the Declaration of Common Interest Community for Humboldt Greenway Townhomes.)

In order to provide these services, the townhome homeowners' association collects annual assessments (dues) from each household in monthly installments. Future

expenses of the homeowners association will determine the future assessment to be collected from each homeowner.

Your sales representative may have additional information about the specific sub-association which operates the community in which your home is located.

GENERAL INFORMATION ABOUT ASSOCIATION

A. YOUR HOMEOWNERS ASSOCIATION

The Association for your community is structured as the mechanism to provide the service necessary for community association living. It is the “community government system” which administers the development and serves as the focal point for the homeowner. Your Association is a non-profit Minnesota corporation with corporate responsibilities, authority, and obligations, including filing of annual tax returns. Under the Declaration for your community, the Association is empowered to control specific items and areas in the best interest of the homeowners. This authority enables the Association to ensure that your community remains vital and that the appearance of your home and your community maintains its aesthetic appeal.

The operation of each association is governed both by Minnesota law and by the terms and conditions of the Declaration, the Bylaws, the Articles of Incorporation and the Rules and Regulations for each association. (This group of documents is often referred to as the association’s “Governing Documents.”) These Governing Documents (and applicable Minnesota laws) specify what homeowners may or may not do, what powers the Board of Directors has, and how the Board of Directors may enforce the Governing Documents.

B. ROLE OF THE BOARD OF DIRECTORS

The Board of Directors carries out the obligations of the Association as provided by the Declaration and Bylaws. In effect, the Board of Directors is empowered to act on behalf of the Association in its best interest. The Directors will determine association policies and establish procedures for the operations of the corporation, all in accordance with the terms and conditions set forth in applicable Minnesota laws and in the Governing Documents for your Association.

The powers and duties of the Board that are typically designated to the managing agent include, but may not be limited to, the following:

- a) Adopt and publish Rules and Regulations, and amend those Rules and Regulations as the Board deems necessary.

- b) Supervise the operation, maintenance, repair and replacement of the Association-maintained portions of the community.
- c) Authorize the execution of contracts.
- d) Establish a fund for future repair, replacement and maintenance of common elements.
- e) Levy and collect assessments from the owners which shall include a sufficient amount to cover costs of maintaining the community, including anticipated operating expenses, adequate reserves and Master Association expenses.
- f) Open bank accounts and designate signatories.
- g) Keep detailed records of financial transactions.
- h) Obtain blanket liability insurance for the common areas if any.
- i) Prepare an annual report to members.
- j) Hire and coordinate outside property management services.

GUIDELINES FOR THE HUMBOLDT GREENWAY

A. Definitions

Many words and phrases used in the Governing Documents for each community have specific definitions attached to them that may or may not be different from the usual meaning for that word or phrase, and may or may not differ between the Master Association, the single-family association and the townhome association. These words or phrases are usually capitalized, and the specific definition for that word or phrase is usually found in the “Definitions” section of the Declaration for your community. Please keep this in mind as you read the Governing Documents for your community.

B. Creating a Livable Environment ?

The Humboldt Greenway development has been designed to make environmental stewardship and social interaction easy. Land uses are integrated to balance housing and the surrounding amenities.

C. Neighborhood Schools

The Humboldt Greenway is adjacent to several existing schools including:

Minneapolis Public Schools

Jenny Lind Elementary School – Grades K-5

Olson Middle School – Grades 6 – 8

Private Schools

St. Elizabeth Seaton School (operated by Catholic Archdiocese of Minneapolis/St. Paul) – Grades K-8

D. Becoming a Part of the Neighborhood

The Humboldt Greenway is also located near public parks including Victory Parkway, Shingle Creek Park, Humboldt Park, North Mississippi Regional Park. The Humboldt Greenway is located within the City of Minneapolis in both the Lind Bohanon and Shingle Creek Neighborhoods. Adjacent neighborhoods include the Weber/Camden Neighborhood and Victory Neighborhood.

ARCHITECTURAL DESIGN GUIDELINES

Both the Master Association and each sub-association include provisions in their Declarations which require that any exterior change to a home be approved in advance by the sub-association in which the home is located. Each Declaration provides specific information as to the information which must be provided to the associations when requesting approval for a change to the exterior of a home.

It is the intent of the developer (Humboldt Greenway Development, LLC), to create a residential community of high quality and harmonious design. Accordingly, an Architectural Review Committee (the “ARC”) shall be established as a permanent committee of the Master Association to oversee, review, and regulate all architectural and design matters involving the Property. In addition, each sub-association will also have an ARC to ensure that the architectural and design matters fit within the general scheme of development for that specific association as well as the Master Association.

A.General Construction

The design elements of the Humboldt Greenway include elements found in classic Tudor, craftsman bungalows and foursquare homes. Elements include brick, stone, stucco, siding, fencing, brackets, corbels, and trim.

It is the developer’s intention that exterior material will be comprised of brick, stone, stucco, and siding that may include vinyl, steel, or aluminum materials, and traditional trim boards. Variations may be necessary depending on the availability and cost of materials.

The developer emphasizes the use of color and materials to create individuality within the Humboldt Greenway development.

B. Homes

In order to maintain the appearance of the Humboldt Greenway, the Master Developer has developed certain standards for the exterior of homes in both the single-family community and the townhome community. Please keep in mind that any exterior change must be approved by the ARC for the applicable sub-association.

Please also refer to the Master Community Declaration and the Declaration for the association in which your home is located for possible further guidelines.

1. Storm Doors – Storm doors installed must be of high quality full view design. The ARC may have information about specific storm doors and color that meet the requirements of the ARC for each association. For more information, please contact the Board of Directors for your association.
2. Windows – Temporary coverings are strictly prohibited.
3. Colors/Materials – Exteriors are to be comprised of stucco, stone, or brick with vinyl siding and trim boards.
4. Mechanical Equipment – Mechanical equipment when at all possible will be located at the rear or active side yard of the structure.
5. Roof Materials & Pitch – The roofing material installed shall be dimensional heavy shingle (Owens Corning) “Prominence” or equivalent, with an estimated life of 30 years.
6. Gutters & Downspouts – Gutter and downspout colors must blend with adjacent surfaces. Drainage must meet minimum building code requirements. Gutters and downspouts may not adversely affect drainage of adjoining lots or create hazards (e.g., ice build-up on walkways or standing water on walkway).
7. Flashing, Sheet Metal & Vents – All flashing and sheet metal shall be painted or be ordered pre-colored to match adjacent building surface. Vent stacks, metal chimneys and pipes shall be colored to blend with the adjacent roof surfaces and shall be clustered to minimize rooftop clutter, and, where feasible, shall be located on the roof slope facing away from public areas. ?
8. Garages - Must comply with the original specifications established during the construction process.
9. Exterior Stairs – Exterior stairs shall be made of concrete. Wooden steps, including steps to and from the second story, are prohibited.
10. Fireplaces and Heat Stoves – Direct vent flues installed after original construction shall first be approved by the applicable ARC committees. In no event shall flues be installed beyond 15’ of a single-family home’s front

elevation along the passive side of the adjacent home, or less than 8' from the ground elevation.

C Yards

Please remember that the following information is only a guide. All changes to the exterior of homes, or added structures, such as sheds, in the Humboldt Greenway are subject to approval by the ARC for the Master Association and the ARC for the sub-association in which the home is located.

1. Additional Structures – Approved greenhouses, sheds, and other associated structures shall be located to the interior side or rear of the property and must comply with the setback requirements established by the City of Minneapolis. Greenhouses and sheds must not interrupt the building lines and materials must be compatible with the existing house.
2. Fencing, Gates, Walls & Trellises – Approved fences are important character elements within a community. All fencing facing a right of way shall have the same design within the same block. Fences must be parallel to the right of way. It is the individual owner's responsibility to maintain the above components of the property unless the Declaration provides otherwise.
3. Sidewalks and Entry Steps – To ensure safety and to ensure quick and easy access to emergency personnel, no permanent storage of any kind is permitted in these areas.
4. Garbage Containers/Recycle Bins – Refuse pads are provided for each lot with the original construction. All trash containers, recycling bins, and other refuse must be kept in the refuse pad area. Under no circumstances are trash containers or recycling bins allowed to be visible from the street. ?
5. Pools & Hot Tubs – Approved pools (including temporary children's pools) and hot tubs should be located to the rear of a house, and situated to minimize sight and sound impact upon adjoining properties. The costs to repair any damage to lawns or landscaping shall be borne by the homeowner.
6. Play Equipment & Large Toys – Approved equipment shall only be permitted in the fenced active side yard of the home, and shall not exceed 6' in height.

D. Outside Lighting

All yard and house lighting shall use localized illumination to avoid light spillover into the street, adjacent properties or the night sky. Lighting fixtures attached to a dwelling should be architecturally compatible with the façade and may not include floodlights and may not be installed beyond 2' above the garage door or any first floor door or window. The location, size, color and design of all lighting fixtures or similar equipment used outside of a Dwelling or other structure shall be approved pursuant to the terms of the applicable Declaration(s). The ARC shall establish standards for all exterior lighting, whether temporary or permanent. The use of low pressure sodium, fluorescent mercury vapor, or flood lighting either attached to homes or to light the exterior of the home is prohibited.

The Declaration for the Master Association and each sub-association contain additional information regarding general architectural, maintenance provisions and policy procedures. In particular, there are exceptions and additional guidelines that apply to the Humboldt Greenway Townhomes. Please refer to the additional information provided to you by the sales representative.

STATEMENT BY SALES REPRESENTATIVES RESPONDING TO GENERAL QUESTIONS PERTAINING TO OWNERS OR FUTURE OWNERS SPECIFIC ACTIONS, INSTALLATIONS, ALTERATIONS, PROCEDURES AND POLICIES, ARE NOT BEING MADE BY AN AGENT OF OR FOR THE ASSOCIATIONS. IN THE EVENT OF A CONFLICT BETWEEN THE INFORMATION CONTAINED IN THESE GUIDELINES AND THE INFORMATION CONTAINED IN THE GOVERNING DOCUMENTS APPLICABLE TO A HOME, THE TERMS OF THE GOVERNING DOCUMENTS SHALL TAKE PRECEDENCE.

GUIDE TO RESIDENTIAL LANDSCAPING

A. Introduction

The mature spread and height of any landscape plant material is an important consideration when deciding upon its future planted location. Trees planted in the boulevard should have a mature size and branching pattern that does not obstruct visibility for motorists and pedestrians; ideally, the crown of the tree should create a canopy overhead. Shade trees planted on both sides of streets will in time create a pleasant archway which motorists and pedestrians will travel beneath.

Subject to weather, all yards containing a completed Dwelling, except those areas intended to be left permanently in a natural state, must be sodded or seeded within six months after the issuance of a Certificate of Occupancy for the Dwelling by the City. All landscaping plans shall be approved by the ARC for the Master Association and the ARC for the applicable sub-association.

B. Public Streets, Boulevards, Street Lights – See Guidelines for Residential Landscaping at Humboldt Greenway.

C. Private Spaces – See Guidelines for Residential Landscaping at Humboldt Greenway.

- D. **Private Storm Water System** – The Master Association is responsible for the private storm sewer line under the sidewalks or alleys. Individual owners are responsible for the catch basin located on their lot and for the storm sewer lines from their property to the private line under the sidewalk or alley.
- E. **Alley Landscaping** – See Guidelines for Residential Landscaping at Humboldt Greenway.
- F. **Parks, Flower Gardens/Plantings** – See Guidelines for Residential Landscaping at Humboldt Greenway. The developer, Humboldt Greenway Development, LLC, anticipates that the Master Association and sub-associations will provide a list of approved plants, and may provide guidelines for gardens and plantings. If a homeowner complies with these guidelines, the homeowner will be deemed to have been granted approval by the ARC. This process may not yet be in place, and is subject to the approval of the Board of Directors and/or ARC for the Master Association and applicable sub-association. Please consult with the Board of Directors for your association for current information.
- G. **Corner Residential Lots (Single Family)** – In the Humboldt Greenway single-family home community, individual owners are responsible for maintaining lots including retaining walls, landscaping and mulch, unless otherwise agreed to by the Master Association.

MANAGEMENT OF THE HUMBOLDT GREENWAY

The developer has hired a professional property management company (“Management”), Cities Management, Inc. (“Cities”), to assist and support the Board of Directors in the operation of the affairs of the Master Association and each sub-association. A portion of homeowner’s monthly dues is used to pay for the management service provided to the associations. These services include:

Financial Support: Preparation of monthly balance sheets and income statements, and annual status of assessments. Guidance in annual budgeting and collection of delinquent accounts.

Administrative Support: Management reports to the Board of Directors and attendance at Board meetings. Establishment and administration of the association files and insurance programs. Enforcement of architectural controls and rules and regulations. Acts as a liaison between the Board and the Developer.

Maintenance Support: Management will contract for services, supervise maintenance needs, and schedule maintenance services.

COMMUNICATIONS GUIDE

A. Written Communication

Upon receipt of a written communication (e.g., letter, note or any Request for Action), Management will determine the nature of the communication (e.g., maintenance, rules violation, etc.) and the appropriate action to be taken and by whom. If the request can be handled by Management directly, it will do so. If the action requires Board attention, a copy of the communication is placed in the information for the next Board meeting (the “Board Packet”); the issue is addressed at that meeting, and, based upon the Board’s direction, a response is prepared. Emergencies will receive immediate attention from management. Non-emergency maintenance requests will be addressed within a seventy two (72) hour period under normal conditions.

B. Oral Communication (Telephone Calls)

Management requires that all communication to the Association or the management company be in writing. However, Management will accept telephone calls requesting maintenance or advising of a rules violation, etc. Upon receipt of a phone message (or voice mail message), Management will use its best efforts to return the call within 24 hours and determine action and response. In the event that the call cannot be returned within three (3) days from its receipt due to a wrong number being left with Management or an inability to contact the caller, or in the event a call cannot be traced to a specific property or unit within the Humboldt Greenway, Management reserves the right to discard the message. It will then be the caller’s responsibility to return the call to repeat the request, or to make the request in writing. IT IS IMPORTANT TO LEAVE YOUR NAME, TELEPHONE NUMBER AND HOME ADDRESS WHENEVER YOU LEAVE A MESSAGE FOR MANAGEMENT.

In the event maintenance is required, Management will use its best efforts to provide the homeowner with an estimate of time as to when the repair will be completed. However, the completion of the task requested may take longer than originally estimated, and Management’s personnel will use discretion in determining the need to place a follow-up call to the requesting homeowner. Homeowners should always feel free to call Management if they have any questions on a request for action or feel there is an unusual delay in response to the request.

C. Rules Enforcement/Complaints

Upon receipt of a phone or written complaint about a Rule infraction (*it is important to note that Management accepts complaints both by written and oral communication*), Management will confirm that a violation exists and then will send an appropriate letter to the person in violation. The Board will receive copies of all relevant correspondence in the Board Packet, along with a summary

of correspondence received and sent. If the Board determines that further action is necessary, the Board may direct Management to take action or to refer the matter to the proper authorities (e.g., law enforcement, legal counsel, etc.)

PAYMENT PROCESSING INFORMATION

Management processes payments in two ways: using coupons, which are provided to homeowners directly from Management, and using automatic withdrawal from your checking or savings account. If you would like to have your dues payments automatically withdrawn from your checking or savings accounts, please contact Management to arrange for automatic withdrawal.

If you choose to use the coupons rather than automatic withdrawal, please make your check payable to the appropriate association:

Single-Family Homes: Humboldt Greenway Homeowners Association

Townhomes: Humboldt Greenway Townhomes

No separate payment to the Master Association is required.

If you do not include a coupon with your payment, please be sure to include your name, address, and property address with your payment to ensure that your account is properly credited with the payment. If Management is unable to determine the account to which a payment is to be applied, your payment may be returned to you. As with any payment, do not send cash through the mail.

IMPORTANT TELEPHONE NUMBERS

Cities Management, Inc.	612-381-8600
After Hours Emergencies	612-392-4466
CenterPoint Energy (Gas Service)	
Customer Service	612-372-4727
Emergency/Gas Leaks	612-372-5050
Xcel Energy (Electric Service)	
Customer Service	800-495-4999
Emergency/Downed Power Lines	800-895-1999
City of Minneapolis	
Water/Sewer/During Business Hours	612-673-1114
EmergencyWater/Sewer/Nights & Weekends	612-673-5600

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The information contained herein is considered reliable, subject to change and is not guaranteed.